

COUNTY OF OAKLAND
OFFICE OF THE SHERIFF
MICHAEL J. BOUCHARD



November 28, 2017

The Honorable Klint Kesto
Chair, House Law and Justice Committee
P.O. Box 30014
Lansing, Michigan 48909

Dear Chairman Kesto:

Thank you for taking up House Bill 5234, which will give county jails the ability for compassionate release and medical probation for those incarcerated. I had hoped to be able to attend the hearing today, but unfortunately, our agency suffered a line of duty death losing one of our own Deputies on Thanksgiving.

House Bill 5234 will give county jails relief related to exorbitant medical costs which county jails have to bear when an inmate is in their care and custody. Currently, when an inmate enters the county jail, they are taken off their public or private health insurance and the jail is required to pay for any pre-existing conditions or any medical treatment needed while they are incarcerated. These cases would be reviewed by a medical doctor, by the Sheriff, and the court prior to consideration of compassionate release or medical probation.

This legislation will give two options to consider if someone requires costly health care treatment. First, if the person incarcerated is at the end of life with less than six months to live, which would be determined by a medical doctor, they would be released to care outside of the jail and they would be released from their term of imprisonment. Secondly, if an inmate is in need of serious medical care, surgery, or treatment, they can be temporarily released from jail to seek the treatment needed. Upon the conclusion of their rehabilitation or treatment, the inmate would return to the jail for a term of imprisonment, less any days previously served.

The Oakland County Jail, each year, has numerous cases related to extremely high medical costs related to particular inmates. In addition to the cost of the medical care and/or procedures, if these inmates require hospitalization, it requires a hospital watch with a minimum of two Deputies to guard the inmate 24 hours a day. There are cases which have required overtime costs of over six figures depending on the duration of the hospitalization required.

As an example, one inmate in particular was incarcerated on a 3rd degree retail fraud charge. While in custody, they suffered from a brain aneurysm and had to be hospitalized. This inmate needed to be in a specialized rehabilitation facility, but could not be transferred as they were still serving their jail sentence. This translated to \$48,298 in hospital watch costs as well as \$184,000 for intensive care.

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Another recent case involves an inmate who was serving time for retail fraud and uttering and publishing. At the time of incarceration, they had been diagnosed with stage 4 cancer and required radiation and chemotherapy. While in our care and custody, this inmate required 15 radiation treatments at \$11,000 and one chemo treatment at \$1,500 for a total of \$166,500 in medical care costs during their term of imprisonment. There are two of countless examples of the excessive costs we have to incur.

By having this tool and option in these particular cases, it will reduce the burden on our budgets and will allow inmates to receive the proper care they need. There are often times when an inmate requires advanced care or specific rehabilitation, and some facilities will not accept them due to being incarcerated.

The Prosecutor's Office as well as any potential victim would be able to have a hearing, if requested, in front of the court before any decision would be made regarding a particular inmate. Ensuring victims are protected is central to this legislation.

As you are aware, most Sheriff's Offices suffered from the economic downturn and had large cuts to their budgets. Many have not seen their budgets recover since. During the recession, the Oakland County Sheriff's Office had to cut 165 positions. Since, only one has been added back to the ranks. We must continue to find ways to reduce taxpayer costs and provide proper medical care for inmates. These efforts are beneficial for all parties involved.

If you should have any questions, please do not hesitate to contact me.

Sincerely,



Michael J. Bouchard
Oakland County Sheriff
President Emeritus, Major County Sheriffs of America
National Sheriff of the Year 2016